

Appendix 2.

Summary of email exchanges with regard to highway storm water outside Barcombe Grange.

February 2020.

Email from Ward Cllr. Barry Durkin to Carl Brace (HC Planning), Joel Hockenhull (BBLP Drainage).

Redacted to show only the para. Referring to Barcombe Grange.

The second system is up at Barcombe House which is further up the road towards the church.

This system consists of a pipe drain and road gully connecting with a road culvert to cross the road then from another chamber, outfalling in an adjacent field approximately 40m from the road.

It should be noted at this point that development permission has been given on that field and we cannot confirm at this time if the planning consent is conditionally on this drainage outfall being protected.

If this drainage system is lost the result will be that a large area of the road because of the contours will be subject to a wide area of surface water pooling to a considerable depth with no way it can be drained off.

If this is allowed to happen it will cut off the only access road for properties beyond Barcombe House and even more serious prevent access for emergency service vehicles with a potential for tragic consequences.

22nd September 2023

Email from BBLP to developer.

Dear Mark

I work as a Land Drainage Technician for Balfour Beatty Living Places who act as Highway Authority on behalf of Herefordshire Council.

It has been brought to my attention that some properties were flooded recently by the local Parish Council.

Terry Griffiths who is the local lengthsman investigated all drains in the vicinity and found them in good condition.

However, the ditch that now has been piped and running from Church road to Ross road across your building site is yet to be investigated.

Terry would like to attend with his crew jetting the pipe to see how far they can go. Ideally he would need to access site and do it from a chamber. I visited site this morning and spoke to the new site manager Paul and he is not aware and I didn't see any manholes.

Do you have any information on the drain pipe running across the site from near Barcombe Grange toward Ross road? Are you happy for Terry to enter site (date to be agreed between Terry and Paul) if you know the location of any chamber that can help the investigation. Alternatively Terry will try to jet the pipe from Church road but your guys on site will need to be aware of it in case high pressure water bursts through the ground (Paul to be notified by Terry).

15th October 2023

Email from PC Lengthsman to BBLP

Hello Tomas,

Your comments and interpretation, without prejudice of course, regarding the forwarded email regarding the surface/storm water drainage plan for the development at Brampton Abbots, in particular the 3 link which seems to indicate that the developer is proposing to connect some or part of the storm water drainage into the existing highway drainage network in conjunction with Welsh Water.

The reference to redirecting the drainage pipe from Barcombe Grange which as we both understand the developer has severed into the highway drainage network has to be accepted because originally the pipe did go across the field (which is now being developed) and connect to the drainage network on the C1273 (Ross Road Brampton Abbots).

As you will note the parish council have a tight deadline (19-10-23) to work to so a call during today or tomorrow would be very helpful.

As I have previously stated in this email your comments would be regarded as given without prejudice and no reference to the source would be included or inferred in any submissions by the parish council to the planning committee.

18th October 2023

PC response to planning consultation reference 231460

The Brampton Abbotts and Foy Parish Council (the "Parish Council") have considered the recent submissions from the applicant in respect of the drainage on the Land off Church Road, Brampton Abbotts reference 231460 (the "Site"). The Parish Council are concerned that there is still, after all this time, a lack of clarity from the applicant in respect of the scheme that he proposes and that by his own admission there are still some agreements required from connected third parties.

The Parish Council's concerns are set out as follows:

THE ROAD ADJACENT TO WELLMEAD/BARCOMBE GRANGE ("Barcombe Grange").

Storm water collects in this area and has for as long as anyone can remember been piped into the Site where it soaks away. This has always worked satisfactorily.

Ed Thomas' email to the planners dated 20th September states that Rappor and Balfour Beatty have agreed in principle the redirection of the Highway drain, which we in fact take to be the one at Barcombe Grange. Attached to that email is another email from the applicant to Ed Thomas dated 15th September, which gives more detail on the proposed scheme. It refers to redirecting the highway drain around the perimeter of the Site and back into the storm (storm drain?). The Parish Council takes this to mean that the drain will be within the property of the Site.

The Parish Council has the following comments to make on this proposal:

Who has responsibility for its maintenance and making sure the drain works, especially when the houses on the Site have been sold and the developer no longer owns that part of the Site.

Is the storm drain referred to the one at the bottom of Turners Lane. If it is then this drain is already up to capacity. Please see photo 1 which was taken on Friday 13th October after a storm of rain. The amount of rain was not that significant. If it had been then the situation would have been far worse and this is before taking account of any other water.

The water from Barcombe Grange would then end up in Ross Road and everyone is aware that the Ross Road drain is already inadequate.

The Parish Council does not understand why this water from Barcombe Grange cannot continue to be piped into the Site. This would NOT then put further pressure at the bottom of Turners Lane and also Ross Road.

The Parish Council also wants to notify the planning office that the road around Barcombe Grange flooded badly after the storm referred to above – see Photo 2. This was bad enough, but if the rain had been significant, it would have been far worse. Clearly the applicant has interfered with the flow of this water into the Site. For good reason, the planning permission for the Site included a condition which stated that the development should not commence until a drainage schema was agreed. This was put in place because of the drainage issues in the vicinity. The Parish Council finds it deeply concerning that the development was then allowed to commence before any scheme was in fact agreed.

WATER FROM THE SITE

The Parish Council is still unsure of the details of the drainage scheme for the Site itself now put forward by the applicant.

In the email from the applicant that is referred to above there is reference to attenuation, but we cannot see any further detail on this to support the case. Does this mean that all storm water on the Site would be captured in an attenuation basin or tank and that there would be no release into Ross Road, or if there

is, it would be very gradual. Is there evidence that this would cope with the one in one-hundred-year scenario. You will be aware that the Parish Council have been continually highlighting that the Ross Road storm water drain has problems as it is, without any further water going into it. Alternatively, there is reference in the referred to email to agreement from Welsh Water for the storm drainage. It would be very unusual if the public sewer were to be used for this purpose. Also, it is not that long ago Welsh Water were telling us that no connections to the public sewer could be made for foul water from Brampton Abbots until the capacity of the Ross sewage treatment plant had been increased.

The Parish Council, together with our Lengthsman, have detailed knowledge of the drainage issues in the area. In fact, but for their intervention these issues may not have come to light and an inappropriate drainage scheme for the Site could well have been agreed, resulting in serious consequences for our parish. The Parish Council strongly recommends that the Planning Office organises a further Site visit, to include the Parish Council and Lengthsman, to make sure that any scheme does work and does not cause further problems. The Parish Council also requests that in the meantime the drainage into the Site is reconnected to save any future serious flooding at Barcombe Grange.

The Parish Council has been made aware that parishioners have been in contact with the local MP. He has informed them that he has written to the Planning Office and disappointingly to date, has not had a response. Our parishioners are extremely concerned about the current situation.

The Parish Council did invite the applicant to meet with them and parishioners to discuss the drainage and for him to explain his scheme proposals. Unfortunately, he was then unable to make the meeting. That is a pity.

The Parish Council objects to the drainage scheme put forward.



Photo 1 – Drain to take water from Turners Lane



Photo 2 – Flooding at Barcombe Grange



Picture 3 – Water flooding from Turners Lane

8th November 2023

Email (follow up to 'phone call) from PC Vice Chair to Planning Officer

The matter of the drainage for this site is of great concern to the parish and PC. It is reassuring to us that you will keep the PC notified of events and of when the applicant provides the further information on his

proposed drainage scheme that you have requested. This will allow the PC and parishioners the opportunity to consider it and pass comment back to you.

There are parish councillors and parishioners who really do understand the drainage issues on the site and the surrounding area. I can assure you that the PC will assist wherever it can, and pass objective comments on future drainage proposals,

Thank you also for picking up on the specific drainage issue that we now have at Barcombe Grange, due to the drainage outlet into the site from the road being blocked. I hope that a solution can be found for this with some urgency.

16th November 2023

Email to Planning Officer requesting update on various matters, including Barcome Grange flooding (No reply received at the time)

I was away during October but I am aware that a further representation from the parish council was made to you regarding the above application, after an extraordinary meeting in October, and that you have since had a conversation with the Vice Chair.

The parish council is appreciative of the improved communication and is hopeful that it will aid the sharing of information and knowledge and ultimately ensure that the development will eventually be carried out to an acceptable standard.

As you can imagine, the parish council is under pressure from local residents and is being chased for updates on a regular basis, and we consider it important to be able to show them that not only is the PC doing all that it can, but that Herefordshire Council and BBLP are also taking the necessary steps.

To this end, I should be extremely grateful of an update from you in time for the next PC meeting on Tuesday 28th November. More specifically, would you confirm the latest position with regard to:

As you are aware there are two applications in circulation, one that has been approved (223597) and one that has not (231460) although it is being done illegally, the buildings on site are now at a stage where the developer would have to make a decision design / finishes etc. What would the situation be if they were built to the application that does not have permission? What can HC do (and are they doing it) to ensure that the houses are being built as per the permission that is in place?

There is concern locally that due to the necessary focus on drainage over recent months, the concerns over the proposed alteration in finishes, boundary treatment etc. may be overlooked. Are you able to update on what correspondence has taken place between you and the developer / applicant regarding these matters, and are we expecting either further amended drawings dealing with the objections of the AONB, or for that element of the application to be removed?

Has there been any movement with regard to the drainage plan – are you expecting/ have you received a revised plan?

I believe that the specific recent issues at Barcombe Grange were to be further investigated – do you have any update on this?

5th December 2023

Email from PC Vice Chair to Planning Officer

It is almost one month since we spoke. Nothing seems to have happened to sort out the flooding of the road outside Barcombe Grange. Has the developer been told to reconnect the drainage into the development site.

The road flooded badly again yesterday, and is likely to again this week. I had to take my son for an important medical appointment. As the air intake on my car is low I was concerned that I would not be able to drive through it. There is no other way out. It would have been a serious matter if I was unable to go through and my son was not able to make his appointment.

What is happening!!!!

I see that there is nothing further on the planning portal in respect of the drainage scheme, and in the meantime the site continues to be built out. Which of the two planning applications is the developer working to. Application ref 231460 does not have permission.

7th December 2023

Email from Planning Officer

Good afternoon

An amended drainage plan and response has been received and is being added to the file. A 21-day consultation with the PC and public (site notices) will soon take place. The submitted details will be reviewed by the BBLP Land Drainage Team.,

8th December

Emails between PC and planning Officer

PC to BBLP Drainage Team

Joel / Tomas

I am just forwarding this to you even though you were copied in on the original email from Ollie, to make sure that you have noted his comments against item 4 in my email of 16th November, and to ask for some further advice from you with regard to whether the developer has been instructed to reconnect the drain which (I believe) was blocked and has been causing this area to flood ever since....

HC to PC

In my email I confirmed that a 21 day consultation period will take place – we cannot therefore make a decision before this expires. See my responses to your queries of 16 November in red below (in body of email).

1. As you are aware there are two applications in circulation, one that has been approved (223597) and one that has not (231460) although it is being done illegally, the buildings on site are now at a stage where the developer would have to make a decision design / finishes etc. What would the situation be if they were built to the application that does not have permission? What can HC do (and are they doing it) to ensure that the houses are being built as per the permission that is in place? **Development may be subject to enforcement action if there is any identified breach and it is considered expedient to do so. We are currently considering a variation to the approved scheme.**
2. There is concern locally that due to the necessary focus on drainage over recent months, the concerns over the proposed alteration in finishes, boundary treatment etc. may be overlooked. Are you able to update on what correspondence has taken place between you and the developer / applicant regarding these matters, and are we expecting either further amended drawings dealing with the objections of the AONB, or for that element of the application to be removed? **Comments on these matters are being considered accordingly and the LPA will come to a view on the acceptability of these changes.**
3. Has there been any movement with regard to the drainage plan – are you expecting/ have you received a revised plan? **Yes**
4. I believe that the specific recent issues at Barcombe Grange were to be further investigated – do you have an update on this? **Would defer to the BBLP Land Drainage Team to provide drainage / flooding related comments.**

PC to HC

Thank you for advising that a new drainage plan has been received.

As per previous discussion between yourself, BBLP and the PC, it is considered extremely important locally that the PC and local Lengthsman are part of the decision making process when deciding whether a new plan is acceptable.

For this reason, we are keen to ensure that no “approval” is given to the developer until after the PC has been consulted.

Please would you ensure that this order of events is adhered to.

I am copying to our Lengthsman and the BBLP parties, just so that everyone is aware of this correspondence.

With regard to the other matters raised in my email of 16th November, I should be grateful of your update on these also.

13th December 2023

Email from Enforcement Officer

Whilst the drainage has not yet been approved, no connection has yet been made to outside of the site and none of the properties are yet occupied so no current harm has been identified.

However, a revised drainage strategy is now being considered and if passed I would hope that these works could be carried out as soon as possible.

18th December 2023

Email from PC to all parties after the PC meeting which the developer attended. This email included matters relating to drainage generally, but this para. Referred specifically to Barcombe Grange flooding.

Mr Coleman also explained how he proposes to provide an alternative drainage system for the water that now collects in the road outside Barcombe Grange. He wants to pipe this around the curtilage of the site linking up to the drainage at the end of Turners Lane, which then feeds into Ross Road. The Parish Council has asked the question previously as to who would have the ongoing responsibility for the maintenance and repair of this.

8th January 2024

Email to HC and BBLP. This email was a summary of a site meeting that took place with the PC. Lengthsman and developer in attendance. It covered various aspects of the drainage scheme / issues and this para. Referred specifically to Barcombe Grange.

Please also note the following:

1. the road flooding outside Barcombe Grange is taking longer to soak away. This is a real safety risk.
2. you should have been made aware that a manhole cover relating the storm water drainage in Ross Road lifted last week due to the volume of water. This again shows the current problems relating to the Ross Road storm water drainage, and that is before any more water is added to it.





30th January 2024

Email from Enforcement to resident of Brampton Abbots when they questioned him on why the development was continuing despite the pre-commencement conditions not yet being discharged.

We are hoping for the drainage matters to be resolved shortly, but no harm has been identified by the works currently being undertaken.

5th March 2024

Phone call between PC and BBLP

I took the opportunity to raise two other issues with him:

1. The Barcombe Grange flood which now does not seem to drain away. I mentioned to him that it iced over on early Sunday morning.

18th March 2024

Email from PC to enforcement

You are aware that the parish council and local residents are dissatisfied with the lack of enforcement action taken at this location, and that as a result, the development is now all but completed even though the pre-commencement condition relating to drainage has yet to be discharged.

Previously, it has been stated that nothing that has taken place on site represents damage, yet the local population has been experiencing flooding for months, and the site is now actively pumping water away from the development and onto the public highway.

Recently, water has been connected to the site, so there is now the likelihood of yet more water coming from the site even though there is no agreed drainage scheme from it.

Surely, we must have reached the point where action is appropriate / necessary?

More recently, there have been a number of drainage proposals put forward, following ongoing discussions between the developer and BBLP, with input from the parish council.

The latest emails and communications relate to the latest drainage scheme proposed by the developer and the PC's most recent formal consultation response (appendix 1) outlines their position in this regard.